

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LEON ROBINSON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 04-11023-RCL
)	
THOMAS MENINO, ET AL.,)	
)	
Defendants.)	
)	

**SECOND MOTION OF DEFENDANTS AMERICAN BROADCASTING COMPANIES,
INC., HEARST-ARGYLE STATION INC., AND WCVB TV (CHANNEL 5, BOSTON)
TO EXTEND TIME TO ANSWER OR RESPOND TO COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), Defendants American Broadcasting Companies, Inc., Hearst-Argyle Television, Inc. d/b/a/ WCVB-TV Channel 5 (incorrectly sued herein as Hearst-Argyle Station Inc. and WCVB TV (Channel 5, Boston)) (collectively, the “Broadcast Defendants”) respectfully submit this Second Motion to Extend Time to Answer or Otherwise Respond to Complaint until August 12, 2005. As grounds for this motion, the Broadcast Defendants state as follows:

1. With the stay of proceedings in this matter having recently expired, the deadline for filing a responsive pleading is August 8, 2005;

2. Co-defendants Paul Evans, the former Commissioner of the Boston Police Department, Sergeant Detective James Wyse, Detective Michael Primm, Detective John Martel, Detective Wayne Rock, Detective Garrett Mitchell and Officer James Hardy (collectively, “the Police Defendants”) have requested a brief extension of time to file a responsive pleading until August 12, 2005, while they work to obtain a copy of the Plaintiff’s criminal file in the matter *Commonwealth v. Leon Robinson*, Suffolk Superior Court, Crim. Action No. 2001-CR-10384;

3. The Broadcast Defendants, like the Police Defendants, require additional time to complete their investigation of the facts underlying Plaintiff’s Complaint and prepare an answer

or other responsive pleading. The Broadcast Defendants anticipate that they will be in a position to answer or otherwise respond no later than August 12, 2005;

4. Allowing this motion will not prejudice any party to the action, and permitting the Broadcast Defendants an extension to file responsive pleadings to Plaintiff's Complaint will further the interests of justice.

WHEREFORE, Defendants American Broadcasting Companies, Inc., Hearst-Argyle Television, Inc. d/b/a/ WCVB-TV Channel 5 (incorrectly sued herein as Hearst-Argyle Station Inc. and WCVB TV (Channel 5, Boston)) respectfully request that this Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before August 12, 2005.

Respectfully submitted,

**AMERICAN BROADCASTING COMPANIES,
INC. and HEARST-ARGYLE TELEVISION,
INC. d/b/a WCVB-TV CHANNEL 5,**

By their attorneys,

/s/ Brandon L. Bigelow

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Dated: August 8, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the plaintiff Leon Robinson (A-225594), Old Colony Correctional Center, Bridgewater, MA 02324 and on counsel of record for the defendants by first class mail and electronically via the ECF/CM on August 8, 2005.

/s/ Brandon L. Bigelow

Brandon L. Bigelow